

REMARKS

Applicants have now had an opportunity to carefully consider the Examiner's comments set forth in the Office Action of 17 February 2004. Claims 1-23 remain in this application. For the reasons discussed below, it is believed that Claims 1-23 are in condition for allowance.

All of the Examiner's objections and rejections are traversed.

Reexamination and reconsideration are respectfully requested.

Summary of Interview

Applicants wish to thank Examiner Ali Bayat for his willingness to discuss, via the telephone on 07 April 2004, the applicability of cited prior art Fan (US 6192155) to the Applicants' claimed invention. Specifically, it was agreed that the subject matter of Fan (US 6192155) is not prior art for purposes of the Applicants' claimed invention if the Applicants can establish that the subject matter of Fan (US 6192155) and the Applicants' claimed invention were, at the time of the invention was made, owned by the same person or subject to an obligation of assignment to the same person. 35 U.S.C. 103(c).

The Office Action

The Examiner has made the following rejections in the Office Action mailed 17 February 2004.

Claims 1-23 are rejected under 35 U.S.C. 103(a) as being unpatenatble over Macleod et al. (US 5778092) in view of Fan (US 6192155)

Discussion

The subject matter of Fan (US 6192155) and the claimed invention were commonly owned by the Applicant, Xerox, at the time the invention was made.

This is evidenced by the USPTO Assignment records. Attached are copies of the USPTO assignment records for Application 09737515 (Attachment A) and US Patent 6192155, Fan (Attachment B).

These records establish that the subject matter of Fan and the Applicants' claimed invention were commonly owned by Xerox on 12/15/2000, the

filing date of the present application, 09737515. Accordingly, Fan is disqualified as being considered as prior art for purposes of examining the Applicants' presently claimed invention, as related to a 35 U.S.C. 103(a) obviousness rejection. 35 U.S.C. 103(c).

In addition, the Examiner has indicated in the Office Action Summary that the drawings filed 15 December 2000 are accepted. It is respectfully submitted that formal drawings were submitted to the USPTO on 23 April 2001 and the office action should have indicated that "drawings filed 23 April 2001 are accepted." Please indicate in the next office action whether or not the drawings filed 23 April 2001 are accepted.

CONCLUSION

For the reasons detailed above, it is respectfully submitted all claims remaining in the application (Claims 1-23) are now in condition for allowance. The foregoing comments do not require unnecessary additional search or examination.

No additional fee is believed to be required for this Amendment. However, the undersigned attorney of record hereby authorizes the charging of any necessary fees, other than the issue fee, to Xerox Deposit Account No. 24-0037.

In the event the Examiner considers personal contact advantageous to the disposition of this case, he/she is hereby authorized to call Jeffrey N. Zahn, at Telephone Number (216) 861-5582.

Respectfully submitted,

FAY, SHARPE, FAGAN,
MINNICH & McKEE, LLP

Date May 17, 2004



Joseph D. Dreher, Reg. No. 37,123
Jeffrey N. Zahn, Reg. No. 54,864
1100 Superior Avenue, 7th Floor
Cleveland, Ohio 44114-2579
(216) 861-5582



United States Patent and Trademark Office

[Home](#) | [Site Index](#) | [Search](#) | [Guides](#) | [Contacts](#) | [eBusiness](#) | [eBiz alerts](#) | [News](#) | [Help](#)

Assignments on the Web > Patent Query

Patent Assignment Details

NOTE: Results display only for issued patents and published applications. F pending or abandoned applications please consult USPTO staff.

Reel/Frame: 011415/0163

Recorded: 12/15/2000

Pages: 3

Conveyance: ASSIGNMENT OF ASSIGNORS INTEREST (SEE DOCUMENT FOR DETAILS).

Total properties: 1

1 Patent #: NONE Issue Dt: Application #: 09737515 Filing Dt: 12/15/2

Publication #: US20020076103 Pub Dt: 06/20/2002

Title: Method and apparatus for segmenting an image using a combination of image segmental techniques

Assignors

1 LIN, YING-WEI

Exec Dt: 12/15/2000

2 BANTON, MARTIN E.

Exec Dt: 12/15/2000

3 FUSS, WILLIAM A.

Exec Dt: 12/15/2000

Assignee

1 XEROX CORPORATION

STAMFORD, CONNECTICUT

Correspondence name and address

FAY, SHARPE, FAGAN, MINNICH & MCKEE, LLP

ALBERT P. SHARPE

1100 SUPERIOR AVENUE

SEVENTH FLOOR

CLEVELAND, OHIO 44114-2518

Search Results as of: 04/08/2004 11:

If you have any comments or questions concerning the data displayed, contact OPR / Assignments at 703-308-9723



United States Patent and Trademark Office

[Home](#) | [Site Index](#) | [Search](#) | [Guides](#) | [Contacts](#) | [eBusiness](#) | [eBiz alerts](#) | [News](#) | [Help](#)

Assignments on the Web > Patent Query

Patent Assignment Abstract of Title

**NOTE: Results display only for issued patents and published applications.
For pending or abandoned applications please consult USPTO staff.**

Total Assignments: 2

Patent #: 6192155 Issue Dt: 02/20/2001 Application #: 09154312 Filing Dt: 09/16/1998

Inventor: ZHIGANG FAN

Title: SYSTEMS AND METHODS FOR REDUCING BOUNDARY ARTIFACTS IN HYBRID COMPRESSION

Assignment: 1

Reel/Frame: 009475/0299

Recorded: 09/16/1998

Pages: 2

Conveyance: ASSIGNMENT OF ASSIGNORS INTEREST (SEE DOCUMENT FOR DETAILS).

Assignor: FAN, ZHIGANG

Exec Dt: 09/14/1998

Assignee: XEROX CORPORATION

P.O. BOX 1600

800 LONG RIDGE ROAD

STAMFORD, CONNECTICUT 06904

Correspondent: OLIFF & BERRIDGE, PLC

JAMES A. OLIFF

P.O. BOX 19928

ALEXANDRIA, VA 22320

Assignment: 2

Reel/Frame: 013153/0001

Recorded: 06/28/2002

Pages: 604

Conveyance: SECURITY INTEREST (SEE DOCUMENT FOR DETAILS).

Assignor: XEROX CORPORATION

Exec Dt: 06/21/2002

Assignee: BANK ONE, NA, AS ADMINISTRATIVE AGENT

ONE BANK ONE PLAZA, IL 1-0631

CHICAGO, ILLINOIS 60670

Correspondent: ACCESS INFORMATION SERVICES, INC.

JACKIE LEE

1773 WESTERN AVENUE

ALBANY, NY 12203

Search Results as of: 04/08/2004 11:25 AM

If you have any comments or questions concerning the data displayed, contact OPR / Assignments at 703-308-9723